
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

STEVEN BROWN, <i>et al.</i>,	:
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	:
Plaintiffs,	: Case No.:
	: 1:22-cv-00080-TSK
v.	:
	:
THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, <i>et al.</i>,	:
	:
	:
Defendants.	:
	:

DECLARATION OF STEVEN BROWN

I, Steven Brown, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct to the best of my knowledge:

1. I am a citizen of Morgantown, West Virginia and over 18 years of age, competent to testify, and have personal knowledge of the matters stated herein. I make this Declaration in support of plaintiff's motion for summary judgment.

2. I am a member of the Second Amendment Foundation and West Virginia Citizens Defense League.

3. I have never been charged with nor convicted of any misdemeanor or felony offense, and am otherwise eligible to purchase and possess firearms, including handguns, under all applicable laws.

4. Other than my age, I am otherwise eligible to purchase and receive a handgun and handgun ammunition from a federal firearms licensee (“FFL”) and I would do so if an FFL would sell and transfer a handgun and handgun ammunition to me.

5. On or about June 16, 2022, I visited Rural King, an FFL in Parkersburg, West Virginia, where I sought to purchase a Bersa Thunder 380 and a shotgun.

6. After viewing the firearms I wished to purchase, the clerk asked for my driver’s license, which I provided.

7. I was informed by the clerk that he was unable to sell me the Bersa Thunder 380 because I was under the age of twenty-one and that the law prohibited him from being able to complete the sale.

8. However, I was told I could purchase the shotgun, for which I completed the ATF Firearms Transaction Record (“ATF Form 4473” or “4473”) and the clerk conducted a background check, resulting in a proceed response, allowing me to purchase and receive the shotgun.

9. On or about July 15, 2022, I sought to purchase 50 rounds of 9mm Luger ammunition from Burns Bait and Carryout, an FFL located in Elizabeth, West Virginia.

10. I was again denied a purchase solely due to my age.

11. I desire to purchase a handgun and handgun ammunition from an FFL so that I may purchase a new firearm, of my choosing, complete with a warranty and the accompanying ammunition for it.

DATED this 21st day of December, 2022.



Steven Brown